

ORDINANCE 35

AN ORDINANCE ADOPTING BY REFERENCE THE MINIMUM REQUIREMENTS FOR TANNING FACILITIES AS ESTABLISHED BY RULES OF THE IOWA ADMINISTRATIVE CODE (641-Chapter 46) FOR UNION COUNTY, IOWA.

WHEREAS, the State of Iowa has enacted legislation setting construction standards for the permitting and regulation of tanning facilities and devices used for the purpose to tanning human skin through the application of ultraviolet radiation and has formulated rules set out in Iowa Administrative Code 641-Chapter 46.

THE FOLLOWING ORDINANCE IS THEREFORE, ADOPTED BY THE BOARD OF SUPERVISORS OF UNION, COUNTY.

THAT the said Chapter of 46 of Iowa Administrative Code 641 in its entirety shall henceforth be the rules and regulations for the Minimum Requirements for Tanning Facilities of Union County (A copy of same is attached hereto and shall be designated Appendix "A".)

Pursuant to this Ordinance:

1. Inspections shall be conducted annually by the UNION COUNTY BOARD OF HEALTH OR THEIR DESIGNEE and shall, *at a minimum*, include the following areas: *proper operation and maintenance of devices, review of required records, review of training documentation, documentation of operator understanding and competency pertaining to operator manual, and documentation of operator understanding and competency pertaining to Iowa Administrative Code 641-46.*
2. Inspection fees shall be set/reviewed annually by the Union County Board of Health.
3. Inspection fees shall be due and shall be paid to the Union County Board of Health within thirty (30) days of the inspection.
4. Any person who violates any provision of this ordinance or the rules and regulations of Iowa Administrative Code 641-46 as enforced by the Union County Board of Health, its officers or authorized agents, will be guilty of a simple misdemeanor pursuant to the provisions of Iowa Code Section 137.21 and Iowa Administrative Code 641-46.6(2) and will be punished by a fine not to exceed six hundred twenty-five dollars (\$625.00) dollars or and/or by imprisonment in the County Jail for not more than thirty (30) days. Each additional day of neglect or failure to comply with such provision rule or regulations or lawful order after notice of violation by the Union County Board of Health shall constitute a separate offense.